FROM PULPITS COMES CALL FOR NEW TRIAL FOR FRANK; BURNS HERE TO OPEN PROBE

Dr. L. O. Bricker, Dr. A. R. Holderby and Dr. Julien

Rodgers Deliver Sermons

on Case on Sunday and Dr.

Fred A. Line Will Speak

on Next Sunday—All Urge

Another Hearing.

“I WOULDN’T HANG A DOG

ON CONLEY'S TESTIMONY," DECLARES DR. RODGERS

Dr. Bricker Gives Three Reasons for New Trial —Not Likely He Could Ever Have Fair Showing in At-

lanta, Says Dr. Holderby.

Leo Frank Elated Over

Arrival of Famous Detec-

tive.

The arrival of Detective William J. Burns to begin the probe of the Mary Phagan murder mystery, and the call from Atlanta pulpits for a new trial for Frank, were the big developments of Sunday in the sensational Case, which has centered the eyes of the United States on Atlanta.

Sermons were delivered on Sunday morning by Dr. A. R. Holderby, pastor of the Moor Memorial church; by Dr. L. O. Bricker, pastor of the First Christian church: by Dr. Julien Rodgers, pastor of the East Atlanta Baptist church, and announcement was made that Dr. Fred A. Line, of the Universal church, will preach on this subject on next Sunday.

In all three pulpits the plea for a new trial was based on the ground that Frank had not been given a fair chance in the first

court hearing on account of the inflamed condition of the public mind at that time.

What Preachers Say of Case.

“I wouldn’t hang a yellow dog on Jim Conley’s testimony, much less a white man who comes into court with a character heretofore unchallenged,” Dr. Rodgers told his congregation.

“I would feel it my duty to appeal for a fair trial for any man,” said Dr. Holderby. “This, Frank has not had, as every biased man must admit; nor it is it likely that he can get such trial in Atlanta on account of the prejudice against him. It would be unfair to hang a sheep-killing dog upon the evidence upon which Frank has been convicted.”

“I remember,” stated Dr. Bricker, “how bitterly I resented a man saying in my presence ‘Frank has not had a fair trial.’ He had had the sort of trial I wanted him to have and to admit that it had not been fair would have been to have admitted that I was unfair and unjust and we do not readily do that.” Then Dr. Bricker proceeded to give three reasons why Frank should have a new trial.

The detective and Miss Burns were met at the Terminal station by a large gathering of friends, including two members o f the convicted man’s counsel—Herbert Haas and Leonard Haas. Also, by Dr. B Wildauer and Dan Kline, who engaged him on the Frank Case.

McKnight Badly Hurt.

Albert McKnight lingered between life and death Sunday in Fairhaven hospital, to which he was carried early Saturday night after having been seriously injured in attempting to swing from an incoming Southern train at Roseland.

Attending physicians report this his injuries are likely to result fatally, although he passed an unexpectedly restful day Sunday. It is feared that he is wounded internally. He sustained numerous deep gashes and cuts on the head and face, as well as the shoulders and upper body.

No one was permitted to see him Sunday. He was in a semi-conscious condition throughout the day, and able to talk only at times, and then fitfully. Dr. Thomas H. Hancock, who attended him, endeavored to ascertain his whereabouts during the period of the Negro's mysterious disappearance since having signed the sensational affidavit some weeks ago, in which he repudiated his testimony at the Frank trial.

McKnight, however, was unable to talk. He could not even explain the cause of his injuries. Railyway officials, though, state that he was thrown headlong upon the roadbed when he tried to swing from a speeding passenger train about 7 o'clock Saturday night while passing Roseland, a wayside station about four miles out of Atlanta.

The police declare that McKnight was returning under cover to Atlanta after his disappearance, and, in effort to elude the detectives, made the fatal leap at Roseland, from which place he intended stealing into the city. McKnight gave his residence Saturday night as 383 Washington street, where

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his wife, Minola, also a witness in the Frank trial, now resides.

Frank

Cheered.

Frank, in talking with a Constitution Reporter Sunday afternoon, was cheered by the news of Burns' arrival. He had nothing new to say for publication, however. He was visited continually during the day by friends, many of whom remained at his cell for hours.

J. B. Armstrong, a resident of DeKalb County, has succeeded in obtaining thirty or more names of DeKalb citizens to a petition for a new trial for Frank. It has been circulated through the county for considerable while. Its introduction reads as follows:

"Whereas, new evidence which tends to confirm the claim of an alibi by Leo M. Frank is being brought to light, and, whereas, we believe that under the wrought-up condition existing at the time of his trial, it was impossible that fair and impartial trial could have been given, and, whereas, there does exist very serious doubt as to guilt or innocence, and whereas, there are authenticated instances where the innocent have paid the death penalty when, by the granting of a new trial, the guilt might have been discovered, we, the undersigned, therefore, do hereby express ourselves as approving of granting Leo M. Frank a new trial, doing it voluntarily and without the knowledge of Mr. Frank."

Dr. L. O. Bricker, pastor of the First Christian church, began his sermon on Frank Sunday by saying that he fully realized that he had never before attempted such a delicate, difficult and even dangerous a task as this which he was about to undertake. He said:

"I stand in danger of offending many of those who come to love me and in danger of losing my friends, and no man could suffer more keenly over such a loss than I, for I love my friends and crave their good opinion. I realize that I am to speak against the sentiments of nine out of ten of them that hear me. It is such an audience as a fighter would love to face, but I am no fighter. I am by nature and disposition better fitted to fulfill the office of

friend and comrade and counselor. There is not money enough in the world to hire me to do what I am about to do. No plea of friend or threat of enemy could induce me to undertake this task.

Feeling of Responsibility.

"It is only because I have been overwhelmed these past few weeks with a feeling of responsibility and obligation, and a haunting sense of duty which appears to me as the voice of God, and a man must do what seems to him to be right and never stop to count the cost to himself. And so do you try to be as open-minded as you can and bear with and think with your friend as he tries to interpret his duty to himself to you, and to the city which has given him such a happy home and so many good friends."

Not Arguing Frank's Case.

"My friends, I am not arguing the innocence or guilt of Frank. I am not the man for that, nor is this the place, but I am going to submit three reasons why I believe Frank should be granted a new trial."

"The first is, that because we were in no frame of mind to have given him or any other man under the circumstances a fair and impartial trial. We were inflamed and indignant to the point of unreason, and this state of mind was inevitable and in a certain sense right and proper. We ought to be indignant over such awful things as the murder of this young girl. If the time ever comes when we can be calm and indifferent in the face of such things, it will be proven that we have lost our honor, the fineness of our manhood and womanhood and all our sensitiveness of soul."

"God help us and our civilization if the day ever dawns when we shall cease to blaze with fury before the sight of such monstrous and hideous crimes. But right here is our danger. Righteous indignation is one of the finest passions that men can ever feel, but being that it is also the most dangerous. It can also easily be unjust, cruel, merciless and pitiless. This is why religious persecutions in all ages have been such monstrosities of cruelty and barbarity."

In No Frame of Mind.

“We were in no frame of mind to have granted the prisoner a fair trial, and I will tell you why I feel so. The way into the public mind is through our own. We live and move among our human kind and take a humanity bath every time we walk the streets. We read what others read, come to share the opinion and feel as others feel, and if we stop to analyze our own mind, we shall have a pretty good analysis of the public mind. Looking back now, I can see that I was in no frame of mind to have granted the accused a fair trial. I thought I was. I remember how bitterly I resented a man saying in my presence ‘Frank has not had a fair trial.’ He had had the sort of trial I wanted him to have, and to admit that it had not been fair would have been to have admitted that I was unfair and unjust, and we do not readily do that. We believed that he was guilty and it was the verdict we wanted rather than a trial. Personally, I was convinced of his guilt by reading the stories reflecting upon his moral character that were printed in our newspapers.

Evidence Insufficient.

“Second, I submit that Frank should have a new trial because of the apparent insufficiency of evidence under which he was convicted. We are so constituted that we can believe anything we want to believe. Belief is a function of the will. We can believe without any evidence, and once we believe every little circumstance looks like evidence. The legal fraternity of Atlanta are almost a unit in saying that there no direct circumstances pointing to the guilt of Frank, excepting the revolting and horrible story of the Negro, Jim Conley.”

“Under ordinary circumstances, we in the south do not take the word of a Negro against the word of a white man, but we were willing to believe the unsupported story of a drunken, worthless jailbird Negro, even after he had sworn to three or four other affidavits and had admitted criminal knowledge and complicity in the crime, and was a self-confessed liar and perjurer—in the face of all that we were willing to believe his last story. The only

ground on which we could have done this is that we felt Frank was guilty and were, therefore, ready to believe anything that seemed to confirm it."

"Third, I submit that Frank should have a new trial because under the awful extension of public feeling it was next to impossible for a jury of our fellow human beings to have granted him a fair, fearless and impartial trial. Public sentiment is the mightiest force in the world; it orders revolutions, declares war, makes peace, writes laws and enforces or annuls them. Public sentiment is mightier than our constitution, mightier than the government, mightier than the courts of law; and public sentiment is made up of what the majority of the people are thinking and feeling. I do not understand how it finds its way into human minds and hearts, but you walk down the streets and it gets you in some wireless way and sets you to going."

Must Have Been Impressed.

"I do not know whether the shouts of the massed people reached the judge and jury, but they could not help being deeply impressed and profoundly influenced by what the people were thinking and feeling. A juryman does not cease to be a man and human being when he becomes a jury man. He feels the awful weight of responsibility and he does not choose the task. He does not want to carry the terrible load of deciding the fate of a human life alone, and he will not carry it alone if he can help it. He naturally wants as many as possible of his fellows to share the load of responsibility. He knows himself to be a man among men, and he instinctively searches faces in the courtroom to find out what others are thinking and feeling. He is human, also, and wants the approval of his fellows and feels that he is safer and more likely to be right when he is acting in accordance with the thoughts of other men are as good as himself. The juryman saw the solid mass of his fellow citizens all against the accused; he knew himself to be no wiser than they, and he could not be but profoundly influenced by their attitude. I believe that the jurymen did the very best that they could; did as we would have under the

circumstances, but the circumstances were such that none of us could have been fair and impartial."

"Lastly, justice has nothing to fear nor to lose in granting the accused a new trial. IF Frank was proven guilty once, he can be proven guilty again; facts do not change. If he was convicted by false witnesses and is a victim of a criminal conspiracy, it ought to be known before it is took late, for the truth will be known some day. If we do not know it now, and if then it is found that we, in our haste, put to death an innocent man, the memory of it will live with us to our dying days and the responsibility for it will face us at the judgement bar of God, and Atlanta will never be able to remove the blot from her fair name."

"If he is granted a new trial and is convicted again, we shall have nothing to say, and we should have nothing to say. Our minds will be at rest. But as it is, many of the good thinking people of Atlanta, without regard to race or religion, are restless and uneasy and haunted by the fear that the accused may not have been fairly tried and convicted. The hope of the world is in the righteousness of the common people. We may be swept off our feet at times and our indignation at the vile deeds of evil men may easily become a passion that beclouds our reason, but we must somehow beat our way back to open-minded reason and righteousness. We must be fair, we must be righteous, we must be good. Let us be afraid of nothing except justice, tremble before nothing save duty undone, and then no matter what men may think of us, we shall be able to think well of ourselves and shall have the blessing and the approval of the God of justice and righteousness, both here and yonder."

Dr. Holderby's Plea.

“The Watchman on the Wall” was the subject of Dr. Holderby’s sermon Sunday morning at Moore Memorial church, and is in part as follows:”

“The Watchman in the days of the Prophet Ezekiel was commanded to blow the trumpet and thus warn the people of the danger from the approach of the enemy.”

“There is a deep spiritual meaning to these words by which we are taught the solemn duty and responsibility of the preacher of the gospel.”

“It would be well for every preacher to realize his solemn responsibility for his people and for the community in which he lives.”

“It is plainly the duty of the preacher to warn men of their guilt and danger or the blood of the man who sins will be required of the Watchman.”

“To warn men of their sins is preaching the gospel. Sin is sin wherever it is found, whether in the mansion of the rich or the hovel of the poor—whether it be in rule of the nation—the judge on the bench or the man in the slums. All these are to be warned and rebuked by the gospel, and it is the business of the preacher to sound the warning.”

“As a preacher of the gospel and as a citizen of Georgia, it becomes my duty for the second time to warn the state of the sin and danger of taking a human life unless it is absolutely sure that life has been duly forfeited.”

“Leo M. Frank has been condemned to die. If he is the man who cruelly and inhumanely murdered an innocent child, as is alleged, he ought to suffer the extreme penalty of the law.”

“I am not asserting his guilt or innocence, nor do I care any more about Frank than I would about the poorest Negro in Georgia. I never heard of this man until his arrest. I would feel it my duty to appeal for a fair trial for any man.”

“This Frank has not had, as every unbiased man must admit; nor is it likely he can get such trial in Atlanta, on account of the prejudice against him. This should not be, but it is true.”

“If the evidence against this unfortunate man is true—if there be no reasonable doubt, then he ought to suffer the penalty. But it would be unfair to hang a sheep-killing dog on the evidence upon which Frank has been convicted.”

“Should this man be executed, and it be discovered that he was not guilty, then the state of Georgia would be guilty of an atrocious murder.”

“As a citizen of Georgia, I am not willing to go up to the bar of judgement with my hands reeking with the blood of my fellow man, and this is what every citizen of Georgia would be guilty of if an innocent man be hanged. It is for this reason I am making this appeal for perfect fairness and justice.”

“In the name of God, who is just a God, let us be very careful, and not bring blood upon our state.”

“There are some able and distinguished lawyers and judges and many other prominent men in Atlanta and in other sections of the country who take the same position as I do on this question. They have right to their opinions, and they have right to express their opinions, even if courts have rendered their verdict. It is human to err, and no men are infallible.”

“This is no criticism of the courts, but a simple plea for justice.”

Dr. Rodgers’ Sermon.

As a prelude to his regular Sunday night sermon at the East Atlanta Baptist church last night, Rev. Julien S. Rodgers, the

pastor, touched upon the Frank Case. In the course of his remarks, he said:

“I don’t know who killed Mary Phagan in the pencil factory last April, and I don’t believe the public knows. There are mysteries that have never been cleared up. But of two things I am convinced:”

“1. Leo Frank has never been fairly convicted of the crime. I wouldn’t hang a yellow dog on Jim Conley’s testimony, much less a white man, who comes into court with a character heretofore unchallenged. As to some of the other supporting testimony, there has been so much apparent jockeying and reneging, that it is impossible to tell when some of these affidavit makers are telling the truth, and when they are not. Human life is too dear to sacrifice on that kind of evidence.”

“2. Until the doubt is cleared up, Leo Frank should have the benefit of it. The law grants him that, and we should not demand less than the law. The great state of Georgia can well afford to spend a king’s ransom rather than hang a man about whose guilt there is, at least, a great shadow of doubt.”

“I am sure, therefore, that Leo Frank should be given a new trial, and, if necessary, a change of venue. I believe, however, Atlanta, and Fulton County will give him a fair chance for his life. It is not the spirit of either to do otherwise.”

“The fact that Frank is a Jew should not discredit him. His race is the miracle of the ages. It stands out conspicuously for patience, forbearance and obedience to law. If Leo Frank is a criminal, it is not because he is a Jew, but in spite of it.”

Line Speaks Next Sunday.

Dr. Fred A. Line, pastor of the Universalist church, did not discuss the Frank Case Sunday morning or during the night services, but he made the announcement that he will discuss it in a sermon next Sunday morning.

Instead, Dr. Line discussed the Bible, “Its Truth and Its Revelations.” He impressed upon his congregation that the Bible is the book of truth and the word of God. He brought out that there are two Bibles; one the old, with its time-worn theories and teachings, and the new one, with its teachings of intelligence and scholarship.

Dr. Line’s sermon was listened to with interest by an exceptionally large congregation.

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PROBING MURDER

WILLIAM J. BURNS

FRANK NO PERVERT, STATES W. J. BURNS

ON REACHING CITY

“I Am Not Attempting to
Thwart Justice, I am Seek-
ing Only the Light,” Says
Noted Detective.

HOLDS LONG CONFERENCE WITH FRANK'S LAWYERS

He Is Bringing His Best Men to Atlanta—Will Seek to Interview Conley, But Is in No Hurry.

"There is not a scintilla of evidence to indicate that Leo Frank Is a pervert. I have interviewed him and studied him thoroughly. I could not find a single trace of perversion in his

entire makeup. Leo Frank is not a pervert of any type. He is perfectly normal."

This statement was issued by Detective William J. Burns last night at the Georgian Terrace to a reporter for *The Constitution*. He arrived in Atlanta on Sunday afternoon at 5:05 o'clock with his daughter, Miss Florence Burns, who is on her way to Florida, but who will spend a day or so in the City.

Burns was in a secret Conference with Counsel for Frank's defense in Attorney Luther Z. Rosser's office from 6 o'clock until midnight. Those present were Mr. Rosser, Herbert Haas and Leonard Haas, and others connected with the defense.

The detective would give no intimation of the nature of the Conference. He said, however, that startling developments in the Case would probably be disclosed within the next few days, which Statement indicated that he had obtained some new evidence.

Mind Open

To Truth

"I intended making a thorough investigation of this Case," Burns told *The Constitution* man at midnight. "My mind is entirely open to the truth. I am not attempting to thwart justice. I am seeking only the light. I am bringing my best men to Atlanta—the most expert detectives in America—and I intend to find the truth before I quit the Frank Case."

"Every person connected with the Case, I am sure, will be agreeable to my operations. The prosecution, I have no doubt, will be willing for me to throw whatever light I may be able on the situation. At present, however, I decline to express any opinion of any kind."

"I will make no charges against any one at present—I do not, if possible, intend to make charges against any one. I am not going to 'frame up' on this Case. I am going to strike to the heart

of the truth, and whatever that truth is, I am going to announce it publicly, matter not who it affects."

"I am going to make a sane and quiet investigation. There will be no sensationalism connected with my probe. I am going to do it in a perfectly normal manner, and I expect to get results."

Will Quizz

Conley.

Burns said that some time in the near future, he would quizz the Negro Jim Conley, but that he did not intend to do so at an early date.

"I am not going to rush into this business all at once," he averred. "I am going to go at it logically. I expect to see Conley, but I do not plan to go at him to extract a confession by third-degree or sweating methods."

"Burns would not reveal the angles of the new developments which have extended his investigation to other cities, including New York.

"It is not time for this to be made public," he declared. "Later, however, I will reveal them—when my final report is made."

Burns will remain in Atlanta for probably ten days or two weeks, all of which time he will stop at the Georgian Terrace.